



BALTIMORE CITY COUNCIL PUBLIC SAFETY COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the Public Safety Committee will be responsible for matters concerning public safety, including, but not limited to; emergency preparedness, police services, fire/EMS, & their administrative functions.

**The Honorable Mark Conway
Chair**

PUBLIC HEARING

**Tuesday, April 28, 2025
12:00 PM**

CLARENCE "DU" BURNS COUNCIL CHAMBERS

25-0018

**Emergency Scene – Unauthorized Persons
Prohibited**

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Bill Hearing

Committee: Public Safety Committee

25-0018

Emergency Scene – Unauthorized Persons Prohibited

Purpose:

FOR the purpose of prohibiting the presence of an unauthorized person within the boundaries of an emergency scene; establishing certain penalties; defining certain terms; and generally relating to unauthorized persons within the boundaries of an emergency scene.

BY repealing and re-ordinating, with amendments,
Article 9 - Fire Suppression and Prevention
Section 1-2
Baltimore City Code
(Edition 2000)

BY adding
Article 19 - Police Ordinances
Section 25-5
Baltimore City Code
(Edition 2000)

REPORTING AGENCIES

Law Dept	Approved for Form & Sufficiency
Dept of Finance	Support
Fire Dept	Favorable
Police Dept	Favorable
Dept of Housing & Community Development	Favorable

BACKGROUND

Bill Summary

This bill if enacted would do the following:

1. Require that the Fire Chief or their designee identify the emergency scene.
 - a. An emergency scene would be defined as the immediate area necessary for the Fire Department to investigate an emergency.
2. Establish a boundary around the scene using any of the following:
 - a. Caution tape
 - b. Poster personal
 - c. Another reasonable method
3. Remove the boundaries after the investigation of the emergency

Within the designated emergency scene, unauthorized personnel would not be allowed to loiter. Those who do enter the scene would be warned, and then if they fail to ignore the warning, may be charged with a misdemeanor, fined \$500.00 per offense, sentenced to 90 days imprisonment or both.

The bill also creates a list of excepted personnel, who may be in the boundaries of an emergency scene, including:

- | | |
|---------------------------------|--|
| 1. Firefighters | 7. Dept of Housing & Community Development Personnel |
| 2. EMS personnel | 8. An official (such as the Mayor or Councilmember) as defined by City Code. |
| 3. Police personnel | |
| 4. A victim of the fire | |
| 5. A family member of a victim | |
| 6. American Red Cross personnel | |

Agency Reports

All reporting agencies for this bill are supportive or favorable toward it. In particular, the Fire Department has strongly supported it. None of the reporting agencies foresee a material impact on them fiscally or administratively.

ADDITIONAL INFORMATION

Fiscal Note:

The Department of Finance, in its report, noted that it expected a high degree of compliance with emergency personnel regarding emergency scenes, and as such, did not anticipate much revenue to be generated from fines. Nor did they anticipate a material difference in expenditure in its enforcement.

Information Source(s):

25-0018 1st Reader, Agency Reports

Analysis by: Tony Leva
Analysis Date: April 21, 2025

Direct Inquiries to: 410-396-1091

**CITY OF BALTIMORE
COUNCIL BILL 25-0018
(First Reader)**

Introduced by: Councilmember Ramos
Cosponsored by: Councilmembers Parker, Conway, Schleifer, Middleton, Torrence, Gray,
Porter, Blanchard, and Glover
Introduced and read first time: February 10, 2025
Assigned to: Public Safety Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Fire
Department, Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Emergency Scene – Unauthorized Persons Prohibited**

3 FOR the purpose of prohibiting the presence of an unauthorized person within the boundaries of
4 an emergency scene; establishing certain penalties; defining certain terms; and generally
5 relating to unauthorized persons within the boundaries of an emergency scene.

6 BY repealing and re-ordaining, with amendments,
7 Article 9 - Fire Suppression and Prevention
8 Section 1-2
9 Baltimore City Code
10 (Edition 2000)

11 BY adding
12 Article 19 - Police Ordinances
13 Section 25-5
14 Baltimore City Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Laws of Baltimore City read as follows:

18 **Baltimore City Code**

19 **Article 9. Fire Suppression and Prevention**

20 **Division I: Fire Operations**

21 **Subtitle 1. Fire Department**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 25-0018

§ 1-2. Control of persons and property at fires.

(A) IN GENERAL.

The Chief of the Fire Department shall, during the occurrence of fires or alarm of fires, have authority for himself, and the power to delegate to his assistants, the authority to control all persons and property in the vicinity of a fire, during the continuance thereof; provided, that the exercise of such authority does not conflict with any law of the United States, or of the State of Maryland.

(B) ESTABLISHMENT OF EMERGENCY SCENE.

WHEN RESPONDING TO AN EMERGENCY, THE CHIEF OR THE CHIEF’S DESIGNEE SHALL:

(1) IDENTIFY THE EMERGENCY SCENE, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A);

(2) ESTABLISH THE BOUNDARIES OF THE EMERGENCY SCENE USING:

(I) CAUTION TAPE;

(II) POSTED PERSONNEL; OR

(III) ANOTHER REASONABLE METHOD; AND

(3) AFTER THE FIRE DEPARTMENT COMPLETES THE INVESTIGATION OF THE EMERGENCY, REMOVE ANY BOUNDARIES MARKING THE EMERGENCY SCENE.

(C) PERSONS PRESENT.

ONLY AN AUTHORIZED PERSON, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A), MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

Article 19. Police Ordinances

Subtitle 25. Loitering

§ 25-5. EMERGENCY SCENE.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SUBSECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

Council Bill 25-0018

1 (2) *AUTHORIZED PERSON.*

2 (I) *IN GENERAL.*

3 “AUTHORIZED PERSON” MEANS AN PERSON WHO IS GIVEN PERMISSION TO BE
4 PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE BY THE CHIEF.

5 (II) *INCLUSIONS.*

6 “AUTHORIZED PERSON” MAY INCLUDE:

7 (A) A FIREFIGHTER;

8 (B) EMERGENCY MEDICAL SERVICES PERSONNEL;

9 (C) PERSONNEL FROM THE BALTIMORE POLICE DEPARTMENT;

10 (D) A VICTIM OF THE FIRE;

11 (E) A FAMILY MEMBER OF A VICTIM OF THE FIRE;

12 (F) PERSONNEL FROM THE AMERICAN RED CROSS;

13 (G) PERSONNEL FROM THE BALTIMORE CITY DEPARTMENT OF HOUSING AND
14 COMMUNITY DEVELOPMENT; OR

15 (H) AN OFFICIAL, AS DEFINED IN CITY CODE, ARTICLE 8, § 2-21, WITH
16 IDENTIFICATION ISSUED BY THE CITY.

17 (3) *CHIEF.*

18 “CHIEF” MEANS THE CHIEF OF THE BALTIMORE CITY FIRE DEPARTMENT OR THE
19 CHIEF’S DESIGNEE.

20 (4) *DEPARTMENT.*

21 “DEPARTMENT” MEANS THE BALTIMORE CITY FIRE DEPARTMENT.

22 (5) *EMERGENCY SCENE.*

23 “EMERGENCY SCENE” MEANS THE IMMEDIATE AREA NECESSARY FOR THE
24 DEPARTMENT TO INVESTIGATE AN EMERGENCY.

25 (B) *PROHIBITED CONDUCT.*

26 (1) *IN GENERAL.*

27 A PERSON MAY NOT LOITER WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

Council Bill 25-0018

1 (2) *EXCEPTION.*

2 AN AUTHORIZED PERSON, AS DEFINED UNDER SUBSECTION (A)(2) OF THIS SECTION,
3 MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

4 (C) *SCOPE.*

5 NO PERSON MAY BE CHARGED WITH A VIOLATION OF THIS SECTION UNLESS AND UNTIL THE
6 ARRESTING OFFICER HAS FIRST WARNED THE PERSON OF THE VIOLATION AND THE PERSON
7 HAS FAILED OR REFUSED TO STOP THE VIOLATION.

8 (D) *PENALTIES.*

9 ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A
10 MISDEMEANOR AND, ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR
11 IMPRISONMENT FOR NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT.

12 (E) *EACH VIOLATION A SEPARATE OFFENSE.*

13 EACH VIOLATION OF THE PROVISIONS OF THIS SECTION IS A SEPARATE OFFENSE.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.

Baltimore City Council



Land Use & Transportation Committee

25-0018

**Emergency Scene – Unauthorized Persons
Prohibited**

Agency Reports

**AMENDMENTS TO COUNCIL BILL 25-0018
(1st Reader Copy)**

By: Mayor's Office of Government Relations
{To be offered to the Public Safety Committee}

Amendment No. 1

On page 2, in line 13, strike "CAUTION" and substitute "BARRICADE"; and, on that same page, in line 17, strike "SCENE." and substitute "SCENE, UNLESS THE CHIEF MAKES A DETERMINATION THAT A PUBLIC SAFETY HAZARD REMAINS."; and, on page 3, in line 7, strike "A FIREFIGHTER;" and substitute "PERSONNEL FROM THE BALTIMORE CITY FIRE DEPARTMENT;"; and, on that same page, strike lines 8 and 12 in their entireties; and, on that same page, in lines 9, 10, 11, 13, and 15, strike "(C)", "(D)", "(E)", "(G)", and "(H)", respectively, and substitute "(B)", "(C)", "(D)", "(E)", and "(F)", respectively.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Chief James Wallace, Baltimore City Fire Chief, Baltimore City Fire Department
CC	Mayor's Office of Government Relations
DATE	March 13, 2025
SUBJECT	25-0018

POSITION: Support

BILL SYNOPSIS

This bill mandates that the Fire Chief, or their designated representative, establish an emergency scene during a fire or fire alarm. This designation grants the Chief or Designee the authority to control access to the area, including managing the movement of individuals and overseeing the properties in the vicinity of the fire. The goal is to ensure the safety of all individuals and to facilitate uninterrupted and safe fire operations.

SUMMARY OF POSITION

BCFD strongly supports this legislation. During active fires and other large emergency response events, there are often civilians who linger around the fire or the impacted properties. These individuals are not part of the emergency response effort nor are they there to provide support to the victims. While many of these individuals intent is not harmful, their presence poses significant risks, particularly when they do not follow directives of emergency responders.

Anyone present at the scene of a fire is at risk of injury. Having unnecessary individuals at the scene distracts and impedes critical operations and puts additional lives in danger. Fires are unpredictable, flames, smoke, and toxic gases present immediate hazards; structural collapses, explosions, or sudden changes in wind can cause a fire to escalate or spread rapidly. When first responders arrive, it is essential that they have the space needed to perform their duties and access vital equipment quickly to minimize loss of life and property and to keep themselves safe. Civilians gathering at the scene block fire trucks, obstruct access to emergency equipment, and prevent responders from efficiently addressing the emergency situation. Lastly, victims of fires are often in shock, and the presence of onlookers, offering questions or comments, does not provide the support they need to cope with the trauma they are facing.

This bill will allow BCFD to direct individuals who loiter at the scene of a fire to safer areas, ensuring that they remain at a safe distance and do not interfere with emergency operations. It will also hold individuals accountable for failing to comply with instructions to stay away from the scene, helping maintain a secure environment for both responders and victims. Ultimately, this legislation will enhance safety, improve operational efficiency during emergencies, and better support those affected by these critical events.

FISCAL IMPACT

This bill will not have a fiscal impact on BCFD.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Erin C. Murphy – Director of Government Affairs – Baltimore Police Department
CC	Mayor’s Office of Government Relations
DATE	03/03/2025
SUBJECT	25-0018 Emergency Scene – Unauthorized Persons Prohibited

Position: Favorable

BILL SYNOPSIS

The Baltimore City Police Department has reviewed Council Bill 25-0018 for the purpose of establishing a fire scene; prohibiting the presence of an unauthorized person within the boundaries of an emergency scene; establishing certain penalties; defining certain terms; and generally relating to unauthorized persons within the boundaries of an emergency scene.

SUMMARY OF POSITION

The Baltimore Police Department supports the fire department’s establishment of a fire scene and the prohibition of unauthorized persons within the boundaries of that scene. The Baltimore Police Department will fulfill the duties outlined in this legislation if it is enacted.

FISCAL IMPACT

The Baltimore Police Department does not anticipate a fiscal impact if this legislation is enacted.

AMENDMENTS

The Baltimore Police Department has no requested amendments for Council Bill 25-0018.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	March 12th, 2025
SUBJECT	25-0018 Emergency Scene – Unauthorized Persons Prohibited

Position: Favorable

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 25-0018 Emergency Scene – Unauthorized Persons Prohibited for the purpose of prohibiting the presence of an unauthorized person within the boundaries of an emergency scene; establishing certain penalties; defining certain terms; and generally relating to unauthorized persons within the boundaries of an emergency scene.

If enacted, City Council Bill 25-0018 would prohibit unauthorized persons within the boundaries of an emergency scene and establish certain penalties for the repeated disregard of those demarcations. If approved, this Bill will take effect on the 30th day following its enactment.

SUMMARY OF POSITION

DHCD supports this Bill's intent to provide emergency victims a greater degree of protection while those crises are still ongoing. DHCD also appreciates that this Bill specifically lists "personnel from the Baltimore City Department of Housing and Community Development" as among the authorized persons permitted to be present on the scene. This inclusion will ensure that DHCD's Office of the Ombudsman can continue its 24/7 availability to provide critical services and resources to City residents experiencing an emergency that will classify them as homeless. Furthermore, that provision will also ensure that DHCD staff can continue to work along the Fire and Police Departments for emergency building safety inspections and if called for, emergency demolitions.

FISCAL IMPACT

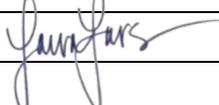
As drafted, this Bill would have minimal fiscal or administrative impact on DHCD.

AMENDMENTS

DHCD does not seek any amendments to this Bill at this time.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Laura Larsen, Budget Director 
DATE	April 8 th , 2025
SUBJECT	25-0018 Emergency Scene – Unauthorized Persons Prohibited

Position: Support

The Department of Finance is herein reporting on City Council Bill 25-0018, Emergency Scene – Unauthorized Persons Prohibited, the purpose of which is prohibiting the presence of an unauthorized person within the boundaries of an emergency scene; establishing certain penalties; defining certain terms; and generally relating to unauthorized persons within the boundaries of an emergency scene.

Background

This legislation aims to keep civilians away from active fire scenes to enhance safety and operational efficiency. Unnecessary individuals at fire scenes pose risks by obstructing responders, blocking equipment access, and distracting emergency efforts. Fires are unpredictable, with hazards like toxic gases, structural collapses, and explosions. Onlookers can also hinder victims' ability to cope with, and may even compound, trauma. This bill will empower BCFD to direct individuals to safer areas and hold them accountable for noncompliance, ensuring a secure environment for both responders and victims.

The table below summarizes the number of fires by alarm level from calendar year 2022 through 2024. This policy allows the Fire Department to establish these boundaries for all emergency scenes, regardless of alarm level. The Department anticipates establishing these zones for all active emergency scenes.

Calendar Year	Incidents by Alarm Level					Total
	0	1	2	3	4	
2022	555	122	20	3	1	701
2023	573	131	23	2	0	729
2024	572	111	14	4	2	703
TOTAL	1700	364	57	9	3	2,133

Fiscal Impact

This legislation is not anticipated to have a material impact on expenditures within the Fire Department. We are projecting a high level of compliance with the zones, minimizing fine revenue resulting from non-compliance.

Conclusion

For the reasons stated above, the Department of Finance supports City Council Bill 25-0018.

cc: Michael Mocksten
Nina Themelis

